Clause 1, the long Title, the Preamble and the enacting formula were added to the Bill.

Motion to pass

SRI K.H. SRINIVASA : Sir, I move :

"That the Karnataka Electricity (Taxation on Consumption) (Amendment) Bill, 1979 be passed."

MR. SPEAKER : The question is :

"That the Karnataka Electricity (Taxation on Consumption) (Amendment) Bill, 1979 be passed."

The motion was adopted and the Bill was passed

KARNATAKA CO-OPERATIVE SOCIETIES (AMENDMENT) BILL, 1979.

Motion to consider

SRI V.M. KUSHNOOR.—(Minister for Co-operation) I more :

"That the Karnataka Co-operative Societies (Amendment) Bill, 1979 be taken into consideration :"

The question was proposed

Sir, there are only four sections for which amendments have been proposed. The first is about the definition of the Section. Under section 111A even the Chief Administrator was managing the whole affairs of the Society. Therefore we propose an amendment to that section. At the sametime we propose an amendment to section 16. Earlier any person who submits an allication, he will be a member under section 15-16 of the Act. Government has contributed share capital to all these societies. It is not possible for submit application to each society because lakhs of rupees are contributed as share capital to the societies. We have proposed an amendment that as soon as the share capital is contributed immediately, the government will become the member. That was in section 16. We also propose an amendment to section 20. The Government on the basis of contribution made to the share capital has got powers to nominate directors. But unfortunately the banks and other institutions took an objection on the ground that each shareholder has one-vote irrespective of the contribution made to the share capital even though they had the right to nominate five directors. Therefore to make it clear we have said, the members or directors will have one-vote, We have brought an amendment to section 20 to clarify that point.

Under section 111A under the Secretary's definition we have included the Chief Executive Officer and the Administrator also. These are the minor amendments which we have proposed for the consideration of the House. I request that this amendment bill be passed unanimously.

†Sri M. C. NANIAH(Madikere).— Mr. Speaker Sir as far as clause 3 a nd 4 are concerned, I have got nothing to say about them but as far as clause 5 of the bill is concerned, I have already moved an amendment. Now under clause 5, the government wants to amend section 30B of the Act in the following manner ;

(1) in sub-section

(a) for the words "where the State Government is satisfied", the words "where the Registrar is satisfied" shall be substitued.

Sir, Section 30B of the Act says-

(1) Where the State Government is satisfied that in public interest os for the purpose of securing proper implementation of co-operative and other development programmes approved or undertaken by the State Government. ..... society concerned shall be bound to comply with such direction's". This is an extraordinary provision contained in the Act. Under this clause the State Government has taken the powers to issue direction to co-operative institutions in implementing certain policies. This clause is an anti - non - official clause. But this power, as can be seen, is vested with the government. We are very happy that government while exercising this power will take extraordinary caution. According to the present amendment, the government wants to give that power to the Registrar. As we have seen in the working of the institutions we have a lot of official interference. At the State Level Conference which was held about 15 days back, it was the unanimous decision of all the co-operators of the State to delete Section 30B. In the light of this decision, a proaposal has been sent to the government. What I am trying to impress on the government is the power which is with the government, let it be continued till such time the amendment is brought to section 30B for the purpose of deleting the entire section. Giving this extraordinary power to the Registrar in turn to be delegated to the Deputy Registrar, the entire structure of the co-operative movement will collapse. I do not want this power to be given to the officials. As such I have brought an amendment to section 30B which says "where the State Government is satisfied" should be retained in section 30B" and the words "where the Registrar is satisfied" should be deleted. The amendment that has been brought under clause 5 should be totally deleted. I think the government will accept to delete clause 5 of the Bill, in the interests of non-official movement.

ಶ್ರೀ ಬಿ. ಎನ್. ಕೆಂಗೇಗೌಡ,—ಸ್ವಾಮಿ ಒಂದು ಸೃಷ್ಟೀಕರಣ ಕೇಳಬಯಸುತ್ತೇನೆ. ಸೆಕ್ಷನ್ 20ರಲ್ಲಿ "Nominated member of the government will have one vote" ಎಂದು ಹೇಳಿದ್ದಾರೆ. ನಾಮಿನೇಟೆಡ್ ಮೆಂಬರ್ ಏನಾದರೂ ಅಧ್ಯಕ್ಷರಾದರೆ ಅವರು ಒಂದು ಗೊತ್ತಾದ ಸೊಸೈಟಿಯಲ್ಲಿ ಕಾಸ್ಟಿಂಗ್ ಓಟ್ ಮಾಡತಕ್ಕ ಸಂದರ್ಭ ಬಂದಾಗ ಗೊಂದಲ ಉಂಟಾಗುತ್ತದೆ. ಹೈಕೋರ್ಟ್‌ಗೆ ರಿಟ್ ಹಾಕುವುದಕ್ಕೆ ಅವಕಾಶವಾಗುತ್ತದೆ. That particular point is not made clear here. One vote means, he cannot cast his vote when equality of votes arise. ಈ ಸಂದರ್ಭದಲ್ಲಿ ಗೊಂದಲ ಆಗುತ್ತದೆ, ಅದಕ್ಕೆ ಒಂದು ಪ್ರಾವಿಷನ್ ಮಾಡುವುದು ಸೂಕ್ತವಲ್ಲವೆ?

†Sri V. M. KUSHNOOR.—Sir, under section 30B the power which the government was having is proposed to be passed on to the Registrar My friends contention is that 30B it self is anti-non-official and it. must be dropped. It has been observed that some of the societies are passing such orders which are against the law. One of the Presidents suspended the Chief Executive Officer without assigning any reason. Whether in such circumstances, the government should keep quiet and should not take any action. Some others are also indulging in such actions. That is why 30B is quite essential.

The other question which is raised by one hon. member is that we will have to clarify the casting of votes. Section 20 empowers the right of vote to the nominated member. There was some confusion in the earlier stages. To clarify that point we have provided this voting right to each director. In some of the societies a situation has arisen where they do not allow the director of government to vote. I think there is no confusion even in the casting vote. The person who is elected will have a casting vote. There is no need to clarify the position about the casting vote. My submission is the amendment proposed may kindly be accepted.

ಕಾಸ್ಟಿಂಗ್ ಓಟ್ ಪ್ರಶ್ನೆ ಬರುವುದಿಲ್ಲ.

ಶ್ರೀ ಬಿ. ಎನ್. ಕೆಂಗೇಗೌಡ. - ಫ್ಲಡ್ ಮಿಜ್ ಗ್ರೌಂಡ್ಸ್ ಮೇಲೆ ಸೊಸೈಟಿ ಡೈರಕ್ಟರ್ಸ್ ಹೆಚ್ಚು ಕಡಿವೆ ಆದಾಗ ತಕರಾರು ಬರುವ ಸಂಭವವಿದೆ.

They take that particular provision. Therefore, here a clear-cut clarification is very essential.

Sri V. M. KUSHNOOR.—What is the present position? Even the elected President can have only one vote; he can't have two votes.

Sri B. N. KENGE GOWDA.—As Director he has got one vote; and as President when the question of casting vote comes, he will have one vote, So, he has got two votes.

Sri V. M. KUSHNOOR.—The President who presides will have the right as President. At the time of equal votes he can have casting vote. Here, it is right of the Director, but not the President. I think, this amendment will not do any harm.

Sri B. N. KENGE GOWDA.—If some people go to the Court they can question it.

Sri V. M. KUSHNOOR.—It is clear in the Bill.

MR. SPEAKER.—I will put the consideration Motion to the vote of the House. The question is:

"That the Karnataka Co-operative Societies (Amendment Bil 1979 be taken into consideration".

The Motion was adopted.

MR. SPEAKER.—I will put clause 2 to 4 to the vote of the House. The question is:

"That clauses 2 to 4, both iuclusive, do stand part of the Bill"

The Motion was adopted

Clauses 2 to 4 both inclusive, were added to the Bill.

Clause 5.

MR. SPEAKER.—Sri M. C. Nanaiah and K. Laxman have given an amendment to this clause. The hon. Members may vote down the clause. I will put the clause to the vote of the House. The question is:

"That clause 5 do stand part of the Bill"

The Motion was nagatived

Clause 5 was deleted.

Clauses 6 and 7.

MR. SPEAKER.—The question is:

"That clauses 6 and 7 do stand part of the Bill"

The Motion was adopted

Clauses 6 and 7 were added to the Bill.

Clause 1 etc.,

MR. SPEAKER.—The question is:

"That clause 1, the long title, the preamble and the Enacting Formula do stand part of the Bill"

The Motion was adopted.

Clause 1, the long title, the preamble and the Enacting Formula were added to the Bill.

Motoin ta pass

Sri V. M. KUSHNOOR.—I move: Motion to pass.

"That the Karnataka Co-operative Societies (Amendment) Bill, 1979, as amended be passed"

Mr. SPEAKER.—Motion moved.

"That the Karnataka Co-operative Societies (Amendment) Bill, 1979, as amended be passed"

The Motion was adopted. and the Bill was passed as amended.

KARNATAKA LEGISLATURE SALARIES, PENSIONS AND ALLOWANCES (AMENDMENT) BILL 1979.

Motion to consider

SRI K. H. RANGANATH (Minister for Agriculture and Parlimentary Affairs)—I beg to move :

"That the Karnataka Legislature Salaries Pensions and Allowances (Amendment) Bill 1979 be taken into consideration".

The question was proposed.

† SRI C.M. ARMUGHAM (K.G.F.).— Sir, I have an objection to raise before the Bill is moved. This is Karnataka Legislature Salaries Pensions and Allowances (Amendment) Bill, 1979. Last year, we had passed one similar Bill, making proper provisions for both legislators and the Ministers. That Bill was passed in both the Houses. But now, you have brought before this House another similar Bill with amendments. Under what provision of the Constitution or Rules of Procedure the Hon. Minister is moving this Bill I want to know. After his reply, I will take up the matter again.

† SRI K. H. RANGANATH.—Sir, the hon. Member could have taken up this point afterhearing my initial remarks, or he could have raised this objection before the Bill was moved. The Bill which we have passed has become an Act. It received the assent of the Governor and has become an Act. On 26th December 1978, an ordinance was passed and now that ordinance is replaced by this Bill which has just now moved. Since we have got certain amendments to the Act, we have called it as the Karnataka Legislature Salaries Pensions and Allowances (Amendment) Bill, 1979.

SRI C.M. ARMUGHAM.—You have cleverly replied to my point.